



IT IS ORDERED as set forth below:

Date: May 18, 2020

Susan D. Barrett

United States Bankruptcy Judge
Southern District of Georgia

**UNITED STATES BANKRUPTCY COURT
Southern District of Georgia**

In re:

MELVIN THOMAS FLETCHER

Debtor(s)

Case No.: **16-10239-SDB**

Judge: **Susan D. Barrett**

Chapter: **13**

**ORDER ON MOTION FOR RELIEF FROM STAY
(Official Local Form B-55)**

MOVANT: **HIGHGROVE AT WILLIAMSBURG COMMUNITY ASSOCIATION, INC.**

SUBJECT PROPERTY: **404 Richmond Street, Evans, GA 30809**

After notice and a hearing the Motion is ordered:

- ☐ Granted ☐ The Trustee will discontinue distribution on the movant's claim and reduce movant's claim to the amount paid if no amended claim is filed within _____ days of this order.
- ☐ The Trustee shall reduce movant's claim relating to this collateral to the amount paid. Movant is granted leave to seek allowance of a deficiency claim, if appropriate.

☐ Continued to _____ at _____ ☐ am ☐ pm

73

☐ Continued. The Motion will not be reassigned until a minimum of seven (7) days after Movant files and serves a Request for Assignment of Continued Hearing. That request shall not be filed until discovery is complete, including, if applicable, providing a post-petition payment history to opposing counsel.

☐ Denied.

☒ Denied on the condition that:

☒ The Debtor shall make timely post-petition payments to Movant as required by the Chapter 13 plan.

☒ The Debtor shall tender payments to Movant or take other action as follows:

Post-petition arrearage is \$2,092.80 through the 3/8/2020 payment due date, plus attorney's fees of \$300.00 and court costs of \$181.00 for a total arrearage of \$2,573.80.

☐ Debtor shall pay to Movant the sum of : _____ on or before _____ which sum shall be applied to the above-referenced total arrearage.

☒ Debtor shall cure the foregoing arrearage in full by making additional monthly payments to the Movant in the sum of \$321.73 per month beginning 6/1/2020 and continuing on the 1st day of each successive month thereafter, with a final additional payment of \$321.69 being due on or before 1/1/2021.

☐ Debtor shall recommence making regular monthly payments to Movant, as same come due under the applicable loan documents, including any insurance premiums which may come due thereunder, (subject to adjustment if provided in the contract) beginning _____, and maintain current monthly payments thereunder for the pendency of this case. All payments must include the last four digits of the account number _____ and shall be sent to the following address, depending on the type of payment:

STRICT COMPLIANCE IS ORDERED as follows:

☒ That in the event the debtor fails to comply with the terms of this order, the movant, through its attorney of record, may file an affidavit establishing the default, served upon the debtor and debtor's attorney. Upon the expiration of fourteen (14) days without the filing of a counter-affidavit by the debtor disputing the fact of default, an order will be entered lifting the automatic stay, converting the case to a Chapter 7 or dismissing the case without further motion, notice or hearing.

☒ The strict compliance provision of this Order shall expire on 1/10/2021.

B

☒ Other provisions:**Debtor shall have 10 day right to cure any default hereunder after written notice.****Debtor shall make payments contemplated hereunder to Highgrove at Williamsburg Community Association, Inc. c/o Nathan Huff at 1223 George C. Wilson Dr., Augusta, GA 30909.****NOTE TO COUNSEL: THE COURT REQUIRES ANY FORM MODIFICATIONS AND/OR NONCONFORMING TERMS TO BE PLACED IN THE "OTHER PROVISIONS" SECTION ABOVE, OR ON A SEPARATE PAGE.**

[END OF DOCUMENT]

/s/ Nathan Huff

Attorney for Movant

Nathan Huff

Name (print)

773611

GA Bar No.

Attorney for Respondent/Debtor

GUY H. SEYMOUR, JR. GA BAR # 636570

Name (print)

GA Bar No.

Debtor

Name (print)

Trustee Frederick Carpenter

Attorney for Chapter 13

Name (print) Trustee Huon Le

GA. Bar No. 341438

Prepared by: s/ Nathan Huff

Attorney Name Nathan Huff

Attorney for Movant

Bar Number 773611

Address 1223 George C. Wilson Dr.

City, St, Zip Augusta, GA 30909

Telephone 706-860-9995

Email nhuff@cwhllp.com